

sport-hunted from the Lancaster Sound polar bear population, Northwest Territories, Canada for personal use.

*Applicant:* Dr. Roy A. Schultz, Avoca, IA, PRT-017983

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the Southern Beaufort Sea polar bear population, Northwest Territories, Canada for personal use.

Concurrent with the publication of this notice in the **Federal Register**, the Office of Management Authority is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Written data or comments, requests for copies of the complete application, or requests for a public hearing on this application should be sent to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, Room 700, Arlington, Virginia 22203, telephone 703/358-2104 or fax 703/358-2281, and must be received within 30 days of the date of publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203. Phone (703) 358-2104 or Fax (703) 358-2281.

Dated: October 1, 1999.

**Kristen Nelson,**

*Acting Chief, Branch of Permits, Office of Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the A. Teichert and Son Esparto Mining Project, Yolo County, CA

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** A. Teichert and Son, a subsidiary of Teichert, Inc. (Applicant) has applied for an incidental take

permit from the U.S. Fish and Wildlife Service (Service) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. The Service proposes to approve the Applicant's Habitat Conservation Plan and issue an incidental take permit for take of the valley elderberry longhorn beetle (beetle), a federally listed threatened species, as a result of aggregate mining activities on a 98-acre site in Yolo County, California. Mitigation and minimization measures outlined in the Habitat Conservation Plan would offset impacts to a small, isolated stand of beetle habitat, four elderberry shrubs, by transplanting the shrubs to an existing large habitat block that is specifically managed and monitored for the species' long-term survival. This notice advises the public that the Service has opened the comment period on the permit application and the draft Environmental Assessment. The permit application includes the Applicant's Habitat Conservation Plan. The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of National Environmental Policy Act regulations and section 10(a) of Endangered Species Act. If it is determined that the requirements are met, the requested permit will be issued for the incidental take of beetles subject to the provisions of the Applicant's Habitat Conservation Plan. The final National Environmental Policy Act and permit determinations will not be completed until after the end of a 30-day comment period and will fully consider all comments received. The Service will also evaluate whether the issuance of the requested permit complies with section 7 of the Endangered Species Act by conducting an intra-Service section 7 consultation. The resulting section 7 biological opinion, in combination with the above types of evaluation requirements, will be used in the final analysis to determine whether or not to issue the requested permit.

**DATES:** Written comments should be received on or before November 5, 1999.

**ADDRESSES:** Comments should be addressed to Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, 2800 Cottage Way, Sacramento, California 95821-6340. Comments may also be sent via facsimile to (916) 414-6714.

**FOR FURTHER INFORMATION CONTACT:** Ellen Berryman, Fish and Wildlife Biologist, at the above address; telephone (916) 414-6600.

**SUPPLEMENTARY INFORMATION:**

### Availability of Documents

Individuals wishing to obtain copies of the application or Environmental Assessment for review should immediately contact the Sacramento Fish and Wildlife Office at the address above. Documents will also be available for public inspection, by appointment, during normal hours at the above address.

### Background

Section 9 of the Endangered Species Act and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. However, the Service may, under limited circumstances, issue permits to take listed species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32; regulations governing permits for endangered species are promulgated in 50 CFR 17.22.

As specified by the Endangered Species Act, permitted take must be "incidental to, and not the purpose of, the carrying out of an otherwise lawful activity." In order to obtain an incidental take permit, the applicant must submit, in part, a conservation plan specifying "the impact which will likely result from such taking; what steps the applicant will take to minimize and mitigate such impacts; and the funding that will be available to implement such steps; what alternative actions to such taking the applicant considered and reasons why such alternatives are not being utilized; and such other measures the Secretary (of the U.S. Department of the Interior) may require as being necessary or appropriate for purposes of the plan." These requirements are addressed in the Habitat Conservation Plan.

The Applicant seeks coverage for take of the federally listed valley elderberry longhorn beetle incidental to mining activity for the Esparto Mining Project in Yolo County, California. The proposed incidental taking would occur on a 98-acre site in Yolo County California. The site supports four blue elderberry shrubs, which constitute beetle habitat, that could potentially be occupied by this species. The proposed take would be incidental to the lawful activities of aggregate extraction and associated activities (e.g., material conveyance, maintenance, and reclamation).

To mitigate for impacts that would result from the removal of the four valley elderberry shrubs, Teichert proposes to transplant the four elderberry shrubs to an existing

mitigation site along Cache Creek in Yolo County. Additionally, Teichert will achieve a 2:1 mitigation ratio, consistent with Service mitigation guidelines, by designating, maintaining, and monitoring 22 elderberry replacement seedlings with associated native plants. The habitat at the mitigation site is contiguous with a large habitat block along Cache Creek that is known to support the beetle, and is likely to be able to support this species on a long-term basis. Additional information on the mitigation site is included in the Habitat Conservation Plan.

The proposed action addressed in the Environmental Assessment is the issuance of a permit by the Service to allow the incidental take of beetles incidental to the Esparto Mining Project. The Environmental Assessment focuses on the potential impacts on the beetle that may result from issuance of a section 10(a)(1)(B) permit and implementation of the Habitat Conservation Plan. Impacts on other resources (geology, hydrology, cultural resources, land use and socioeconomics, traffic, air quality, and noise) are discussed in detail in the Environmental Impact Report for the Esparto Mining Project and are summarized in this Environmental Assessment. The mining project would be able to proceed and would have similar environmental impacts to resources other than beetles regardless of whether the incidental take permit is issued. The Proposed Action would result in cumulatively significant impacts to beetles, but these impacts would be fully offset through the mitigation measures described above.

Two alternatives were considered in the Environmental Assessment: the proposed action of issuance of an incidental take permit and a no action alternative. In the no action alternative, no incidental take permit would be issued and the elderberry shrubs would be avoided during mining operations. No off-site alternatives were considered in the Environmental Assessment because Yolo County has already approved the Esparto Mining Project and Phase I mining has already commenced.

All interested agencies, organizations, and individuals are urged to provide comments on the permit application and Environmental Assessment. All comments received by the closing date will be considered in finalizing National Environmental Policy Act compliance and permit issuance or denial. The Service will publish a record on its final action in the **Federal Register**.

Dated: September 27, 1999.

**Elizabeth H. Stevens,**

*Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

[FR Doc. 99-25926 Filed 10-5-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Issuance of Permit for Marine Mammals

On July 8, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 130, Page 36890, that an application had been filed with the Fish and Wildlife Service by John F. Babler, Mahtomedi, MN for a permit (PRT-014002) to import one polar bear (*Ursu maritimus*) trophy taken from the Southern Beaufort Sea population, Canada for personal use.

Notice is hereby given that on August 16, 1999, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

On May 13, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 92, Page 25898, that an application had been filed with the Fish and Wildlife Service by Joseph R. Zbyski, Englewood, CO, for a permit (PRT-011393) to import one polar bear (*Ursus maritimus*) trophy taken from the Southern Beaufort Sea population, Canada for personal use.

Notice is hereby given that on August 16, 1999, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203. Phone (703) 358-2104 or Fax (703) 358-2281.

Dated: October 1, 1999.

**Kristen Nelson,**

*Acting Chief, Branch of Permits, Office of Management Authority.*

Documents and other information submitted with the application are available for review, *subject to the requirements of the Privacy Act and Freedom of Information Act*, by any

party who submits a written request for a copy of such documents to the above address within 30 days of the date of publication of this notice.

[FR Doc. 99-26063 Filed 10-5-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NN-930-08-1040-00]

#### Availability of Four Draft Riparian and Aquatic Habitat Management Plan Environmental Impact Statements (DEISs) and Possible Resource Management Plan Amendments (RMPAs)

The Four documents are for:

- (1) The Taos Field Office,
- (2) The Farmington Field Office,
- (3) The Rio Puerco Area of the Albuquerque Field Office, and
- (4) The Mimbres Area of the Las Cruces Field Office.

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability, public open house and public hearing schedule.

**SUMMARY:** The Bureau of Land Management (BLM) announces the availability of four Draft Riparian and Aquatic Habitat Management Plan Environmental Impact Statements (DEISs) and Possible Resource Management Plan Amendments (RMPAs). The four documents are for Taos Field Office, Farmington Field Office, the Rio Puerco Area of the Albuquerque Field Office and the Mimbres Area of the Las Cruces Field Office. The draft documents analyzed the effects of the three alternatives in each of the four documents. The alternatives analyze different methods for restoring and protecting riparian habitats under the jurisdiction of the Bureau of Land Management. We would very much appreciate your review and submission of comments on the Drafts so that we can include your contributions in the preparation of the Finals of these four documents. The alternative selected for implementation following review and analysis of comments received on the Draft EIS will be described as the Riparian and Aquatic Habitat Management Plan in each of the respective Final EISs.

If an alternative is selected that requires the amendment of the respective Resource Management Plans these Draft documents would be used to satisfy the RMPA requirement. To that end the public comment period is